

**HON. COLLIN C. PETERSON**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 26, 2012*

Mr. PETERSON. Mr. Speaker, I rise today in support of H.R. 1971, the Pharmacy Competition and Consumer Choice Act. This legislation will help level the playing field between neighborhood pharmacies and pharmacy benefit managers (PBMs) ensuring rural communities will continue to have access to see the providers of their choosing.

The 7th Congressional District of Minnesota, which I represent, is made up of more than 31,000 square miles and many small towns and farms. Small and independent retail pharmacies serve the pharmacy needs of residents in this large rural area. Residents of my district are concerned that they are losing access to their local community pharmacist whom they trust and have built relationships with throughout the years.

These PBMs tend to encourage patients to use their own mail-order-only operations in order to receive discounted co-pays on prescription drugs. Many constituents have expressed how they want to save money but also would like to talk to the pharmacists about their drug regimens and possible drug interactions. They do not like the idea of dealing with faceless employees of a managing company and talking with someone new each time they call. Patients should not have to choose between best price and best care.

Small pharmacies play a vital role in rural communities. Not only are they an employer, but serve as a health care advisor to senior citizens and families. I have heard concerns that such market concentration, like one we will see with Express Scripts and Medco, will likely lead to higher prices for consumers and fewer choices. During this difficult economic time, we cannot afford to lose jobs and the small businesses that serve the very important health-care needs of American consumers. This is especially true in rural areas, where there are already fewer choices.

H.R. 1971, the Pharmacy Competition and Consumer Choice Act, would provide transparency into how PBMs deal with Medicare Part D plans, and would require PBMs to deal more honestly with pharmacies when contacting and conducting audits. By protecting Part D plans and beneficiaries, as well as patient access to local community pharmacies, this legislation will help ensure that rural patients will continue to have access to local pharmacies.

RECOGNIZING DIANA Z. YSRAEL  
ON RECEIVING THE 2012 GUAM  
BUSINESSWOMAN OF THE YEAR  
LIFETIME ACHIEVEMENT AWARD

**HON. MADELEINE Z. BORDALLO**

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 26, 2012*

Ms. BORDALLO. Mr. Speaker, I rise today to commend and congratulate Mrs. Diana Z. Ysrael on being awarded the 2012 Guam Businesswoman of the Year Lifetime Achievement Award. Diana Ysrael is the owner of Diana's Specialty Shops, which opened in 1960, and she is an advisor for Tanota Part-

ners, a family-owned real estate business that was established in 1970.

Diana was born in Graceville, Minnesota on November 9, 1935 and attended George Washington High School in Mangilao, Guam. She received a Bachelor of Science degree in Nursing Education from St. Theresa's College in Winona, Minnesota and went on to work as a registered nurse for the Mayo Clinic in Rochester, Minnesota and the Guam Memorial Hospital. In 1960, Diana decided to start her own business and opened Diana's, Guam's first children's specialty shop. Over the years, Diana expanded her business to five locations with over 50 employees. She also provides guidance and consultative work to her family businesses, Tanota Partners and Dizzy Inc. clothing stores.

In addition to being a local entrepreneur for over 50 years, Diana is an active member of Guam's community. She has dedicated her time to volunteering for Strides for the Cure, a local non-profit organization that raises awareness of cancer and seeks to reduce cancer rates on Guam. Diana also frequently contributes to the American Red Cross and provides financial support to St. John's School athletic program and scholarship fund. Further, through Tanota Partners, Diana has helped provide funding to repair the Agana Pool.

Diana has dedicated her career to building a successful self-owned business, and she serves as a positive role model for businesswomen on Guam. I join the people of Guam in thanking her for her many contributions to our community, and I wish her continued success in the years to come.

60TH ANNIVERSARY OF UNITED  
WAY OF BUCKS COUNTY

**HON. MICHAEL G. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 26, 2012*

Mr. FITZPATRICK. Mr. Speaker, I rise today to commemorate the 60th Anniversary of United Way of Bucks County, an organization that strives to better the lives of countless people in my Congressional District.

United Way was founded shortly after World War II, just as Bucks County began to experience a rapid growth in population. Fearing this new influx of local residents would place too much of a burden on existing charitable agencies, a group of determined citizens began meeting to discuss the struggles that the new community faced. Although small at first, these meetings eventually led to the creation of United Way of Bucks County in 1952.

Over the years, United Way has worked with many different people and organizations in order to identify and resolve pressing neighborhood issues. Since 1952, United Way has worked with various schools, government agencies, businesses and neighborhood associations in an effort to foment public policy and much needed community change.

Today, the organization allocates over \$1 million to 31 different agencies that support 52 local programs in Bucks County. Undoubtedly, United Way of Bucks County has become a vital attribute to our community, and I am honored to speak on behalf of its members and affiliates today.

Thank you for 60 years of public service, and dedication, I am proud to have such an

admirable organization work on behalf of the constituents in my Congressional District.

POTENTIAL IMPORT OF THE  
MERGER OF EXPRESS SCRIPTS,  
INC., AND MEDCO

**HON. G.K. BUTTERFIELD**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, April 26, 2012*

Mr. BUTTERFIELD. Mr. Speaker, I rise today to draw attention to the potential impact of the merger of two major pharmacy benefit managers (PBMs), Express Scripts, Inc. and Medco. The Federal Trade Commission (FTC) recently decided not to oppose this merger, which combines two of the "Big Three" PBMs. However, the FTC decision was not unanimous; in fact, one FTC Commissioner who opposed the merger called it a "game changer."

The merger of Express Scripts and Medco now means that the top two PBMs will cover approximately 72 percent of the privately insured Americans. This "mega PBM" will have the ability to raise prices for health plans and patients, limit access to pharmacy patient care and force patients to use the PBM's mail order pharmacies rather than their trusted community pharmacies, driving up costs for employers, health plans and other federal and state programs.

Additional concerns resulting from the Express Scripts and Medco merger include increased market concentration in the PBM market, with decreasing competition. The "Big Three" PBMs controlled approximately 80 percent of the national prescription drug plan market for large plans. This merger reduces the options for large plans from three to two. For large health plans that have typically selected one of the "Big Three" PBMs, the merger creates a firm with more than 50 percent market share.

The new mega PBM alone will control over 40 percent of the national prescription drug volume. Approximately 135 million Americans—more than one-third of all Americans—will rely on this new "mega PBM" to manage their prescription benefits. The merger combines two of the three largest suppliers of specialty pharmacy services, consolidating an excessive share of all specialty pharmacy sales. The merger creates the nation's largest mail-order pharmacy accounting for close to 60 percent of all mail-order prescriptions processed in the United States. This is a very troubling situation.

I have actively sought to bring this issue to the forefront, through floor speeches, letters to the FTC, and calls for hearings in the House Energy & Commerce Committee. I am concerned that this "mega PBM" will only exacerbate the problems for community pharmacies and consumers caused by PBMs currently. Already, many PBMs disallow pharmacies the ability to appeal pricing decisions with which they disagree. It is documented that they often mandate that a covered individual use a specific retail pharmacy, mail order pharmacy, specialty pharmacy or other pharmacy or entity. This is exceedingly problematic in places like the First Congressional District, where there are limited options for seniors and the disabled to reach certain pharmacies.

Only a handful of states directly regulate some PBM functions, such as how they conduct audits of pharmacies, and some state